

**MINUTES OF THE COURT OF APPEAL
STATE OF CALIFORNIA
SECOND APPELLATE DISTRICT**

July 19, 2000

DIVISION ONE

B136739 People (Not for Publication)
v.
Thomas

The judgment is affirmed. We remand for issuance of a corrected abstract of judgment showing imposition of a \$50 laboratory fee. The new abstract is to be sent to the Department of Corrections.

Ortega, Acting P.J.

We concur: Vogel (Miriam A.), J.
Aragon, J. (Assigned)

B138513 People (Not for Publication)
v.
Councilman

The judgment is affirmed.

Ortega, J.

We concur: Spencer, P.J.
Vogel (Miriam A.), J.

July 19, 2000-Continued

DIVISION ONE (Continued)

B135848 People (Not for Publication)
v.
Francisco Javier Reyes

The judgment is affirmed.

Ortega, J.

We concur: Spencer, P.J.
Vogel (Miriam A.), J.

109274-00

The HONORABLE CONRAD R ARAGON, Judge of the Los Angeles Superior Court, Los Angeles County, is hereby assigned to assist the Court of Appeal, Second Appellate District, Division One, as a Justice thereof, on the following dates:

July 18, 2000 To August 17, 2000

and until completion and disposition of all causes and matters submitted pursuant to this assignment including, if necessary by reason of a vacancy or disqualification of a Court of Appeal justice, all petitions for rehearing arising out of such causes and matters.

This assignment does not extend to any matter in which the panel would be composed of two justices pro tempore.

Dated: 7-18-00

Ronald M. George
Chief Justice of California and
Chairperson of the Judicial Council

DIVISION TWO

B124139 People (Not for Publication)
v.
Harvey

The judgment is affirmed.

Nott, J.

We concur: Boren, P.J.
Mallano, J. (Assigned)

B137682 Los Angeles County, D.C.F.S. (Not for Publication)
v.
Amie R. et al.

The judgment is affirmed.

Nott, J.

We concur: Boren, P.J.
 Cooper, J.

B136223 People (Not for Publication)
v.
Manning

The judgment is affirmed.

Nott, J.

We concur: Boren, P.J.
 Cooper, J.

July 19, 2000-Continued

DIVISION TWO (Continued)

B138524 People (Not for Publication)
v.
Batres

The Court:

The judgment is affirmed.

Nott, Acting P.J., Cooper, J., Mallano, J. (Assigned)

B129249 Larry C. Morgan (Not for Publication)
v.
Rolande Morgan

The judgment (order that, in lieu of child support arrearages, house be put in Wife's name) is affirmed. The parties are to bear their own costs on appeal.

Cooper, J.

We concur: Boren, P.J.
 Nott, J.

B131280 Deborah L. Moore (Not for Publication)
v.
Jeffrey L. Moore

The February 18, 1999 order on order to show cause is affirmed. The January 4, 1999 order imposing sanctions is reversed. In view of the divided outcome of the appeal, the parties shall bear their own costs.

Cooper, J.

We concur: Boren, P.J.
 Mallano, J. (Assigned)

July 19, 2000-Continued

DIVISION TWO (Continued)

B132015 Nielsen (Not for Publication)
v.
Wolf

The judgment is affirmed.

Cooper, J.

We concur: Nott, Acting P.J.
Mallano, J. (Assigned)

[illegible]

The judgment is affirmed.

Cooper, J.

We concur: Nott, Acting P.J.
Mallano, J. (Assigned)

B139167 People (Not for Publication)
v.
Arturo O.

The Court:

The judgment is affirmed.

Boren, P.J., Nott, J., Cooper, J.

DIVISION THREE

Court convened at 10:00 A.M.

Present: Klein, P.J., Croskey, J., Kitching, J., Aldrich, J. and Valorie Gray, Deputy Clerk.

DIVISION THREE (Continued)

Each of the following:

B132279 People v. Moncado
B136059 People v. Ruben G.
B132271 People v. Danage
B134610 People v. Serrano
B141552 Susan S. v. S.C.L.A.
B137102 Children & Family Services v. Jennifer J.
B138621 Children & Family Services v. Martha P.
B134113 Children & family Services v. Teresa A.
B132706 People v. Robinson
B130420 People v. Ortiz
B139485 People v. Elaine C.

Argument waived, cause submitted.

B141353 Victor G.
v.
Superior Court, Los Angeles County
(Children & Family Services, r.p.i.)

Merits:

Argued by Michael L. Moore for petitioner and by Pamela Soncini for real party in interest. Submission deferred, matter continued to August 2000 calendar.

B140727 Gloria E.
v.
Superior Court, Los Angeles County
(Children & Family Services, r.p.i.)

Merits:

Argued by Lucia J. Murillo for petitioner and by Pamela Soncini for real party in interest. Cause submitted.

DIVISION THREE (Continued)

B133141 Los Angeles County, D.C.F.S.
 v.
 Lula G.

Merits:

Argued by Lori A. Fields for appellant and by Judith German, deputy county counsel, for respondent. Cause submitted.

B129255 Larson
 v.
 Ferris

Merits:

Argued by Richard L. Knickerbocker for appellants and by Thomas J. Faughnan, deputy county counsel, for respondents. Cause submitted.

B121030 Healing Arts Publishing, Inc., et al.
 v.
 Dunn et al.

Merits:

Argued by Marc J. Poster for appellants and by George H. Kim for respondents. Cause submitted.

Court recessed at 11:50 A..M.

Court reconvened at 1:30 P.M.

Present: Klein, P.J., Croskey, J., Kitching, J., Aldrich, J. and Valorie Gray, Deputy Clerk.

B128901 People
 v.
 Johnson

Merits:

Argued by Susan K. Keiser for appellant and by Karen Bissonnette, deputy attorney general for respondent. Cause submitted.

DIVISION THREE (Continued)

B130981 People
 v.
 Chavez

Merits:

Argued by Susan K. Keiser for appellant and by Scott J. Quan, deputy attorney general, for respondent. Cause submitted.

B136899 Los Angeles County, D.C.F.S.
 v.
 Martha N.

Merits:

Argued by Harold M. Shirwo for respondent minor and by Pamela Soncini, deputy county counsel, for respondent. Cause submitted.

B135463 Farnham
 v.
 Fireman's Fund Insurance Company

Merits:

Argued by William Rehwald for appellant and by Timothy P. Boris for respondent. Cause submitted.

B133281 City of Alhambra et al.
 v.
 City of South Pasadena et al.

Merits:

Argued by Stephen R. Onstot for appellants and by R. Bruce Tepper for respondents. Cause submitted.

DIVISION THREE (Continued)

B127438 Bernal
v.
Herrera Marble Design, Inc.

Merits:
Argued by Nicholas Weimer for appellant and by Christopher E. Overgaard for respondent. Cause submitted.

B131565 Fireman's Fund Insurance Company
v.
J.B. Hunt Transport, Inc.

Merits:
Argued by Stephen L. Bucklin for appellant and by Leslie Gail McMurray
for respondent. Cause submitted.

Court adjourned at 3:10 P.M.

DIVISION FIVE

B134587 People (Not for Publication)
v.
Ronald Caceras

The judgment is affirmed.

Grignon, Acting P.J.

We concur: Armstrong, J.
 Godoy Perez, J.

DIVISION FIVE (Continued)

B132687 Stephanie J. O'Brien (Not for Publication)
 v.
 Tom O'Brien

The judgment is affirmed. Respondent Stephanie J. O'Brien is awarded her costs on appeal.

Grignon, Acting P.J.

We concur: Armstrong, J.
 Godoy Perez, J.

B133105 Parichehr Assilzadeh (Certified for Publication)
 v.
 California Federal Bank et al.

The judgment is affirmed. Costs on appeal are awarded to defendants.

Weisman, J. (Assigned)

We concur: Turner, P.J.
 Grignon, J.

B134358 John Rosales (Certified for Publication)
 v.
 City of Los Angeles et al.

The judgment is affirmed. Defendants are awarded costs on appeal

Weisman, J. (Assigned)

We concur: Turner, P.J.
 Grignon, J.

DIVISION FIVE (Continued)

B136638 People (Not for Publication)
v.
Justo Hernandez

The judgment is modified to reflect the imposition of: a laboratory analysis fee of \$50 as required by Health and Safety section 11372.5, subdivision (a); a Penal Code section 1464 \$50 penalty assessment; and a \$35 penalty assessment pursuant to Government Code section 76000. In all other respects, the judgment is affirmed.

Turner, P.J.

We concur: Grignon, J.
Armstrong, J.

[illegible]

The judgment is modified to reflect that defendant was convicted of attempted voluntary manslaughter (Pen. code, 664/192, subd. (a)) in counts 2 and 3, rather than attempted murder (Pen. Code, 664/187, subd. (a)) as the abstract incorrectly indicates. The judgment is further modified to reflect the imposition of a parole restitution fine in the amount of \$6,000 pursuant to Penal Code section 1202.45. The judgment is affirmed in all other respects.

Weisman, J. (Assigned)

We concur: Turner, P.J.
 Grignon, J.

DIVISION SIX

B129406 Amelco Electric (Certified for Publication)
 v.
 The City of Thousand Oaks

The judgment is affirmed. Costs to respondent.

Yegan, J.

We concur: Gilbert, P.J.
 Coffee, J.

B134512 People (Not for Publication)
 v.
 Dixon

The judgment is affirmed.

Perren, J.

We concur: Gilbert, P.J.
 Coffee, J.

B132072 Byron (Not for Publication)
 v.
 Lukens

The judgment is affirmed. Costs to respondents.

Perren, J.

We concur: Gilbert, P.J.
 Coffee, J.

July 19, 2000-Continued

DIVISION SIX (Continued)

B137338 People (Not for Publication)
v.
Simpson

The judgment is affirmed.

Yegan, J.

We concur: Gilbert, P.J.
Perren, J.

B129759 Olds (Not for Publication)
v.
Board of Trustees of the California State University

The judgment is affirmed. Costs are awarded to respondent.

Coffee, J.

We concur: Gilbert, P.J.
Perren, J.

DIVISION SEVEN

B132428 People (Not for Publication)
v.
Alvarado

The judgment is affirmed.

Neal, J.

We concur: Lillie, P.J.
Woods, J.

DIVISION SEVEN (Continued)

B136712 Los Angeles County, D.C.F.S. (Not for Publication)
v.
Edna P.

Accordingly, the order of the court denying appellant's request is reversed, and this matter is remanded for a contested section 366.21, subdivision (e) hearing to be held in conjunction with the section 366.21, subdivision (f) hearing in this matter, currently scheduled for September 12, 2000. We express no opinion on the other issues raised in appellant's brief.

Neal, J.

We concur: Lillie, P.J.
 Woods, J.

B131802 Linda El-Moussa (Not for Publication)
v.
Allstate Insurance Company et al.

The judgment is affirmed. Each party to bear their own costs.

Woods, J.

We concur: Lillie, P.J.
 Neal, J.

B134628 Gene Toy (Not for Publication)
v.
Johnny Ramirez

The order is reversed with directions to enter an order granting the motion to vacate. Plaintiff to recover costs on appeal.

Woods, J.

We concur: Johnson, Acting P.J.
 Neal, J.

July 19, 2000-Continued

DIVISION SEVEN (Continued)

B136419 People (Not for Publication)
v.
Edward James W.

The order under review is affirmed.

Woods, J.

We concur: Lillie, P.J.
 Neal, J.